



Tuesday Morning, April 2, 1887

## TO ADVERTISERS.

Transit advertisements must be paid for in advance to insure insertion.

## TO AGENTS

Settlements of accounts will be required monthly or quarterly, and will be continued. The daily or weekly rates will be furnished at the lowest cash rates and no exception will be made to this rule.

## The Resolution of the U. S. Congress on the Confederacy of the British American Provinces.

The late telegraphic despatch from Washington, is not very startling; nevertheless, the report presented to Congress by Mr. Banks, from the Committee of Foreign Affairs, is a document that will draw forth many and varied comments from the political circles of Europe. Its pretentiousness is not small. A review of an essay attributed to Mr. Froude (in *Fraser's Magazine*), who has been rating England for her proclivities towards legitimacy, asks, "will he liberate or will he prefer to annex one after the other of the American Republics, as he has done California and Texas, and will he try to 'bore' Canada? or as proselytes to the greatest zealots, will he begin by restoring self-government to the Southern States? The resolution is worth reprinting; it declares:

"That the people of the United States cannot regard the proposed confederation of the provinces on the northern frontier without extreme solicitude. A confederation of states, extending from ocean to ocean, without consulting the people of these provinces, founded on monarchical principles, cannot be considered otherwise than as a contravention of the traditions and the constantly declared principles of this government that will endanger most important interests, and tend to increase and perpetuate embarrassments which the governments were already discussing. Passed without a division."

It is asked what right the people of the United States have to assume that their "traditions" and "declared principles" should influence, in any degree, the parties interested in this grand scheme—the confederacy of the North American Provinces. Now to the law and to the testimony. If we trace back to the origin of the "law of nations" we find that man was formed for society, and, as is demonstrated by the writers on this subject, is neither capable of living alone, nor indeed has he the courage to do it. However, as it is impossible for the whole race of mankind to be united into one great society, they must necessarily divide into many, and form separate states, commonwealths and nations, entirely independent of each other, and yet liable to mutual intercourse. Hence arose that kind of law to regulate this mutual intercourse called the "law of nations," which as none of those states will acknowledge a superiority in the other, cannot be dictated by any, but depends entirely upon the rules of natural law, or upon mutual compacts, treaties, leagues and agreements between these several communities; in the construction also of which compacts we have no other rule to resort to but the law of nature and reason, being those only to which all the communities are equally subject; but such rules and laws must necessarily result from those principles of natural justice in which all the learned of every nation agree, are equally conversant, and to which they are equally subject. Such is the law of nations. We are, therefore, naturally led to enquire—when one of the family of nations puts forth such a manifesto as the one quoted above—what distinctive rights of the people of the United States would be infringed upon if the Confederation scheme were an accomplished fact? Will it be in "contravention" of any mutual compact, treaty, league or agreement between the States and Great Britain? The answer is, there has been no treaty upon the subject consequently there can be no violation of conditions. The resolution states that the action taken with regard to the Confederation, "without consulting the people of the United States would be considered otherwise than as a contravention of the tradition and the constantly declared principles of this Government."

"I can call spirits from the vasty deep, But will they come?"

Cæsar, Mahomed, Napoleon the Great, had little faith in "traditions," as little as the people of to-day have in second-sight, spiritualism, or "the manifest destiny" of any nation. Is the policy of the Government of the United States such a masterpiece of human wisdom, or has the experience of her statesmen improved its policy to such perfection that its foundation cannot be shaken, that it may assume to occupy the highest place in the civilized world? Manifest destiny! Has not history taught us the fate of mighty nations,

"That, like the business fabric of a vision, The cloud cap'd towers, the gorgeous palaces, The solemn temples, the great globe itself, Yea, all which it inherits, shall dissolve; As, like the underling, the time-fungus, As dreams are made of, and our little life Is rounded with a sleep."

And yet there are those who presume to look into the dark abyss of the future, who would live for "all time." The Monroe doctrine, as it is termed, is not a principle founded either upon

nature or in reason. It, no doubt, is pleasing to the vanity of a "nation" great but young people; but in the carrying out of the principle many serious obstacles may arise. It is not surprising that a Confederation of the Provinces should be regarded with "extreme solicitude" by the Government of the United States. The Canadians "asked for a fish, they gave them a serpent." They desired reciprocity, it was declined by the people's representatives, and, instead, the aliens, who "foster that bitter hate" against everything British, and who were, and are countenanced by many Americans, sent a marauding party of Fenians to kill, burn and destroy the people and the property of the Provinces. What sympathy can there be expected between loyal Canadians and a neighboring nation who harbor swindling ruffians under the hopeless pretext of hunting down the British Lion and rescuing the Emerald Isle from his claws. The reception by the President, if it did take place, of the Fenian deputation, who desired to be recognized as "belligerents" by the Government of the United States, was, even as a piece of political clap-trap to gain votes, insulting to England and the Provinces. If England had recognized the belligerent rights of the Southern States when at war with the North, matters might have taken a different turn; but no more of that. However, those members of the Committee of Foreign Affairs who patronize Fenians must support their "extreme solicitude" with what conscience they may, and rest assured that their consent will not be required in "the consummation most devoutly to be wished for"—the Confederation of the British North American Provinces.

## LEGISLATIVE COUNCIL PROCEEDINGS.

[Specially Reported for the British Colonist.]

## Saturday's Sitting.

New Westminster, March 23d. The Council met at 11 a. m. Present—Hons Southgate, DeCosmos, Ball, Franklin, Sanders, Wood, Crease, Macdonald, Helmecken, Birch, (presiding) Young, O'Reilly, Robson.

His Excellency's message No. 35, was read, giving assent to the following Bills: An ordinance to assimilate and amend the laws relating to licences and direct taxes on persons. An ordinance to exempt the Homestead and other property from forced seizure, and sale in certain cases. The Legal Practitioners ordinance 1887, was read a third time and passed. The Exchequer Debenture bill, passed a second reading.

Hon Southgate gave notice that on Monday he would move that the provisions of the ordinance relating to County Courts, be extended to Vancouver Island, in order that a Court with such jurisdiction be established at Nanaimo.

The adjourned Committee on the Victoria Incorporation Bill then resumed its sitting, Hon Ball in the chair.

A long discussion followed on the several clauses of the bill in which some alterations were made, several useful clauses added at the suggestion of Hon DeCosmos. As the bill is still in an incomplete state, any allusion to the proposed modifications, would be more likely to mislead than enlighten the public. The next sitting of the Committee will probably give a more definite form to the ordinance, and the reports will become more generally interesting. The members who took part in the discussion were the hon Young, DeCosmos, Helmecken, Southgate, Macdonald, Crease and Wood.

## Monday's Sitting.

The Council met at 2 p. m. Present—Hons Macdonald, Barnard, Brew, Smith, Cox, Ball, Wood, Crease, Franklin, Robson, O'Reilly, Sanders, DeCosmos, Helmecken, Young, Birch, (presiding) Southgate, Trutch.

Hon Smith asked the Council to recommend to His Excellency the Governor, the necessity of appointing Justices of the Peace in the different districts throughout the interior, also that some person be empowered to issue Minors certificates, and record mining claims at Savana's Ferry or Kamloops and Seymour with a view to the better convenience of miners engaged in these districts. This was one of the subjects that engaged the public attention in the interior. A strong necessity was felt for the creation of new Justices of the Peace, for the protection of property and the maintenance of order. With the exception of the magistrate at Ashcroft, there was none nearer than the Columbia river in one direction, and none nearer than Kamloops, on the other there ought to be some one to fill the duty. He was sure that amongst the respectable settlers, persons could be found who would undertake the duties without any cost to Government. In relation to the want of some person to record mining claims at Savana's Ferry, the claims were not sufficiently rich at Tranquil or the other mining camps in the vicinity, to admit of men travelling a long way to record them; the consequence was that men preferred taking their chance of holding the claims rather than spend the time required to find the recorder.

Hon Helmecken would second the motion although he did not know much about the action of the country referred to. He, however, could understand the necessity from what had fallen from the hon mover.

Hon Birch—A resolution of the same character had been before the House last summer, and he could assure the hon member for Columbia that every effort had been made on the part of Government to secure the services of suitable persons as Justices of the Peace, the Government was always glad to create magistrats wherever Englishmen were to be found. The hon member for Columbia knew that a magistrate and constable visited every district at stated times; and the miners or settlers had only to meet them due notice of their visit, being always given beforehand. He thought the resolution could do no good.

Hon Robson—Was he to understand from what the hon President had said, that Englishmen only were chosen for the office.

Hon Birch—He meant to say British subjects.

Hon Robson—He thought a respectable storekeeper could be found at Seymour, for instance, who would gladly undertake the issuing of miners certificates, and the recording of claims for the sake of the facility given to miners in the neighborhood, besides it would attract miners to the vicinity. He considered it was the bounden duty of Government to find such a person. The difficulties attending such appointments were merely imaginary.

Hon DeCosmos supported the resolutions particularly in relation to additional Justices of the Peace. There was no magistrate within 80 miles of Comox, and there were several persons in that vicinity quite competent to undertake the duties. There was Salt Spring Island, also one of the most important of the outlying districts, also without a magistrate, and at Cowichan the only magistrate resided 21 miles from a portion of the district under his jurisdiction.

Hon O'Reilly had no objection to the first part of the resolution, but in respect to the last he was convinced that it was impracticable. If Government attempted to make an appointment of the kind the same system would have to be followed throughout the country. The constable always visited Seymour, and was empowered to record claims and issue mining licences. It would cause serious confusion if persons were empowered to record claims who were not well acquainted with the working of the mining laws. It would lead to endless disputes, and great inconvenience. He was decidedly in favor of an increase in the number Justices of the Peace, as it would greatly assist the Stipendiary magistrates.

Hon Cox endorsed all that the hon magistrate for Kootenay had stated. The appointment of persons to record claims as proposed would create great confusion.

Hon Barnard did not see any difficulty to be apprehended from such appointments. Respectable storekeepers were just as capable of recording claims as those who were not well acquainted with the working of the mining laws. It would lead to endless disputes, and great inconvenience. He was decidedly in favor of an increase in the number Justices of the Peace, as it would greatly assist the Stipendiary magistrates.

Hon Cox—In case of disputes as to the records the clerk is called to give evidence as to writing every copy bearing his name, this of course would not be done if persons were appointed as proposed.

Hon Ball was opposed to such appointments when there was only a trail to Tranquil, miners came down to make their records and he never heard any complaints from them about hardship. He agreed with the Gold Commissioners on the other side of the House that it would cause great irregularity in the records, particularly as such persons would not understand the working of the mining laws. He was in favor of the first part of the resolution, and he believed that the Government had shown every disposition to appoint Justices of the Peace; but where such an appointment was offered, it was frequently refused.

Hon Trutch—The position in relation to mining claims was the same as in the recording of pre-emptions, and he knew that such appointments could not be made to work in that respect. If such a system was attempted the different districts would have to be subdivided into separate departments involving too much complication.

Hon Crease—It was essentially necessary that none but competent persons were entrusted with the administration of the mining laws, the hon member must be aware of that fact. There would be no harm in calling the attention of Government to the existence of such a want; but such appointments as those suggested by the last part of the resolution was quite impracticable; Government had always been anxious to appoint Justices of the Peace wherever possible.

Hon Sanders—A part of the country alluded to by the hon member for Columbia came within his (hon Sanders') own district, and he had never observed any discontent. Giving power to such persons as those suggested to record claims would be most objectionable.

Hon O'Reilly—In the winter of '62 and '63 a constable at the Mouth of Quesnel, and one at Williams Lake, had been each empowered to record claims, and on the books being brought up to Williams Creek in the spring were found to be in complete confusion giving rise to endless disputes.

Hon Franklin—In relation to Justices of the Peace many of the people refused to act because of the expense. He wished to appoint a constable at Comox, but he could not find any one who would fill the office.

Hon Smith—It depended entirely upon whether the Government was prepared to lose all the fees for recording and licences, or appoint some respectable person to receive them; the miners, rather than go a great distance to record, would take their chances. He did not say there was any discontent, he merely said there was great inconvenience. The want of magistrates was very unsatisfactory to settlers and they had a right to demand that they (the magistrates) should be provided. A difficulty had occurred at Shuswap that might have led to a serious breach of the peace had some one not stepped up and settled it. The rarity of such occurrences speaks well for the people, but the most peaceable people had their differences.

Hon Birch—The only person in that vicinity that he knew of was Capt. Moffat, and he had been appointed to and had declined the office of Justice of the Peace.

Hon Wood—The appointment of persons to record claims would cause serious difficulty both to miners and Government. The miners would not like it themselves.

The resolution was then put to the vote and lost.

Hon Robson wished the names taken in order to let the public know who were opposed to such necessary measures.

Hon Wood—There was no necessity for such offensive allusions to the vote.

Hon Robson did not see why special exceptions should be made in relation to taking the names.

Hon Crease—The hon member for New Westminster had coupled his request that the names might be taken with words that savored of intimidation. No doubt the hon member was moved by the best intentions, but such language was out of place.

Hon Robson—It was mere childishness to talk of intimidation.

The clerk then proceeded to take the names. Hons Smith, Barnard, Robson, Helmecken, DeCosmos and Southgate were in favor of the resolution, the remainder being opposed to it. The names stood 11 to 6.

Hon Helmecken moved that an address be presented to His Excellency the Governor, praying that a drawback of \$50 per hog should be granted upon all meat, ligatures exported that were manufactured in the Colony.

It was unnecessary to occupy the time of the House with the subject of the motion, hon members were aware that cases existed where the protective system did not work so well as in others, and these cases had to be met with the best means of removing the difficulty. He found that it required the use of 50 lbs. of barley to make a hogshead of beer with 15 lbs. of hops, which would give the amount very near.

Hon Franklin—The reason it took 50 lbs. of barley for a hhd. of beer was because it was California barley. It would only require 200 lbs. of Island barley, as it was so much richer in saccharine matter.

Hon Helmecken—The Vancouver Island barley was larger and had anything ever seen of the kind, but whether beer could be brewed out of 200 lbs. that anybody could drink he did not know. He did know the strength liked by hon magistrate for Nanaimo, for his part he liked good strong ale. The placing such a clause in the statute book would do a great deal of good and create a stimulus to the manufacture, as well as to the spread of civilization.

Hon Macdonald supported the motion, but thought the drawback should not extend to what was consumed by the navy.

Hon Southgate was under the impression that the drawback was allowed in England, but would not be sure.

Hon Franklin—If the drawback was allowed it might be relanded.

Hon Young proposed that the privilege be granted till 31st December next, so that the farmers would not be discouraged from the impression that the protection would be taken from them.

Hon Helmecken—There would be plenty of barley grown on the Island, but not enough this spring.

The resolution was then carried.

Hon Crease asked leave to introduce Ports of Entry bill. Leave granted.

Hon Southgate asked leave to introduce an ordinance to extend the county courts ordinance of British Columbia, 1866, over Vancouver Island, to enable small debts to be recovered at Nanaimo. Under the present system the inhabitants of Nanaimo found it a serious inconvenience in being compelled to go down to Victoria with their witnesses when they wanted to recover small debts; in many cases they preferred foregoing the debt rather than to incur the expense of going to Vancouver Island, to enable small debts to be recovered at Nanaimo. Under the present system the inhabitants of Nanaimo found it a serious inconvenience in being compelled to go down to Victoria with their witnesses when they wanted to recover small debts; in many cases they preferred foregoing the debt rather than to incur the expense of going to Vancouver Island, to enable small debts to be recovered at Nanaimo. 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